

## REMARKS

This is responsive to the Final Rejection dated June 23, 2004. The three month period expires September 23, 2004, without an extension of time.

Claims 1, 3, 15 and 16 are pending in the application.

All the pending claims were rejected under 35 U.S.C. §103(b) as anticipated by, or in the alternative, under 35 U.S.C. §103 as obvious over the Korai article. The claims have further been rejected under 35 U.S.C. §103(a) over Korai taken with Tamaki (U.S. Patent No. 5,494,567).

The claims as now amended fully distinguish the Korai article. Further, the deficiencies in Korai are not cured by the teachings of Tamaki. Korai teaches a process for the preparation of mesocarbon microbeads by dispersing mesophase pitch in isotropic pitches. In the process the synthetic naphthalene mesophase pitch is dispersed in and heated at 300°C - 380°C under rapid agitation for about 30 minutes. None of the isotropic pitch is converted to mesophase pitch. The mesophase composition in the mixture is simply reshaped as beads which are then extracted using a solvent. In contrast to Korai observations applicants observed an unusual synergistic effect. Namely, they found that an additional amount of mesophase pitch was created that was above than the amount that would be achieved by heat treatment of the isotropic pitch alone. Applicants' claims now require more than two hours of heating and converting isotropic pitch to mesophase pitch. This is neither taught nor suggested by Korai.

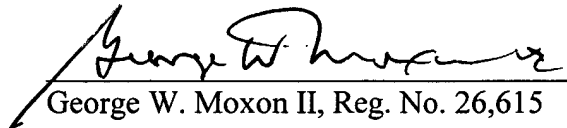
Tamaki teaches a process for producing optically isotropic reformed pitch useful for various carbon materials where the process comprises using a pitch with a strong Lewis acid and a co-solvent and reacting the mixture at a temperature of 100°C - 300°. Subsequently, the Lewis acid and co-solvent are removed from the reaction product. The mesocarbon microbeads are then heat-treated at 200°C - 380°C to produce optically anisotropic small spheres which are separated from the optically isotropic matrix. Since the process of Korai does not lead to a reaction to convert isotropic pitch to mesophase pitch, the deficiency would not be cured by Tamaki, which teaches a very different process from Korai. The use of a strong Lewis acid and a co-solvent in the process of Korai would not be useful in recovering mesocarbon microbeads that the process of Korai is designed to produce. Therefore, the claims of the present invention are neither

anticipated nor obvious from Korai nor would the deficiencies of Korai be cured by the teachings of Tamaki.

In view of the foregoing, reconsideration and withdrawal of the rejection is requested as well as early allowance of the claims.

Should the Examiner have any questions or wish to discuss any of the foregoing in more detail, the undersigned attorney would welcome a telephone call to finalize allowance of this application and its issuance as a patent.

Respectfully submitted,



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